

# Claimant Handbook

**Unemployment Benefit Information**  
available at [http:// www.workforce.IN.gov](http://www.workforce.IN.gov)

**Questions or comments?**  
**Call our toll-free Helpline 1-888-WorkOne (967-5663)**  
**In Marion County 232-6702**  
**TDD for the hearing impaired (317) 232-7560**

**INDIANA  
WORKFORCE  
DEVELOPMENT**



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## Introduction

Unemployment Insurance decisions are made without regard to race, color, sex, national origin, religion, age, or disability. Contact the Indiana Department of Workforce Development or the US Department of Labor if you believe you are the victim of discrimination concerning a claim. Don't risk being disqualified or losing your benefits because you don't understand your rights and responsibilities.

### About this handbook

Read this booklet carefully and completely. The sections in this booklet will help explain certain questions you may have about your rights and responsibilities concerning your Unemployment Insurance claim. It provides general information and should not be used as law or as legal advice. Information about Special Claims such as those for government employees, ex-service personnel, and NAFTA-TAA can be obtained at your local WorkOne office. The State of Indiana is committed to timely and accurate delivery of benefits.

Si usted tiene algunas preguntas acerca del seguro para desempleados, o si usted no entiende este libreto, nuestros empleados pueden ayudarle.

### Facts about Unemployment Insurance

Unemployment Insurance benefits are paid by employer taxes. No money is deducted from your paycheck or your taxes to pay Unemployment Insurance benefits. Under the Federal Unemployment Tax Act of 1939, employers are required to pay taxes that pay for the cost of administering Unemployment Insurance and employment service programs at the state and federal levels.

### Overpayments

Unemployment Insurance benefits that are paid to a claimant and are later determined to have been paid in error are called **overpayments**. Overpayments usually occur as a result of inaccurate or incomplete information. Occasionally, they occur when a claimant receives benefits that are later denied upon appeal by an employer. Regardless of the reason for the overpayment, once an overpayment is determined all benefits are required to be paid back. The State of Indiana aggressively pursues the collection of any uncollected overpayments. This includes withholding state income tax returns and lottery winnings.

**Interstate Claimants**

The contents of this booklet apply to Indiana claims for those who live in the state or have moved out of Indiana. If you are filing a claim against Indiana from outside the state, please read this information thoroughly. However, if you move to a different state you must report to an Unemployment Insurance office in that state to register for work and change your address. If you have questions concerning your claim call our toll-free number **1-888-WorkOne (967-5663)**

**Quality Control Audits**

We conduct random claimant quality control audits. Audits review claimant eligibility, payroll records, and *work search* contacts. If you are selected for an audit, you will be contacted by an auditor for an interview.

**A Word About Unemployment Insurance Fraud**

The Department of Workforce Development aggressively pursues any acts of fraud committed against the Unemployment Insurance Program. We cooperate with agencies in states surrounding Indiana to check employment and unreported earnings. If you knowingly make false statements or conceal information in order to receive benefits you commit fraud.

Conviction of a criminal charge of fraud results in a fine, a jail term, or both. Because the US Mail is used to pay benefits, mail fraud also occurs when Unemployment Insurance fraud is committed. Federal mail fraud violations are turned over to the US Postal Inspectors.

If overpayment occurs as a result of fraud, you will have to pay the money back to the State of Indiana. Repayment of this money will be aggressively pursued. Failure to repay the money will result in civil legal action.

# How do I file for benefits?

You must register for work on the Customer Self Service System (CS3) to qualify for benefits unless you have a date to return to work or belong to a union hall.

## What you need to do

Apply for Unemployment Insurance (UI) *benefits* as soon as possible.

Go to your nearest WorkOne office if you need to:

- File your first *claim* for unemployment benefits.
- Reapply for benefits after a period of employment.
- Resume filing after any period of claim inactivity.

You will be assisted in filing a claim for benefits and registering for work on the Customer Self Service System (CS3).

The Social Security Act permits the exchange of information between the Internal Revenue Service and the Department of Workforce Development.

A one-week *waiting period* is required after you file your initial claim. Do not wait to file your claim. File as soon as you become unemployed. You will not receive benefits for the waiting period.

## What we need to know

You must provide the following information to your local office. Please bring this information with you on your first visit.

- Complete name, address, and zip code.
- Your social security number (your claim will not be processed without it).
- Personal identification (driver's license, photo ID, alien card).
- Name, address, and telephone number of your last job.
- Dates worked at your last job.
- Reason for leaving your last job.

Do I qualify for benefits?

If you knowingly make a false statement or conceal information you commit fraud.

Three things determine if you qualify for benefits.

1. How much money you earned in the base period (wages).
2. Why you are unemployed.
3. If you are able, available, and actively seeking full-time work.

1. How much money did you earn in the base period?

The amount of your benefits depends on how much money you earned while working during your *base period*. The base period divides the year into four quarters of three months each.

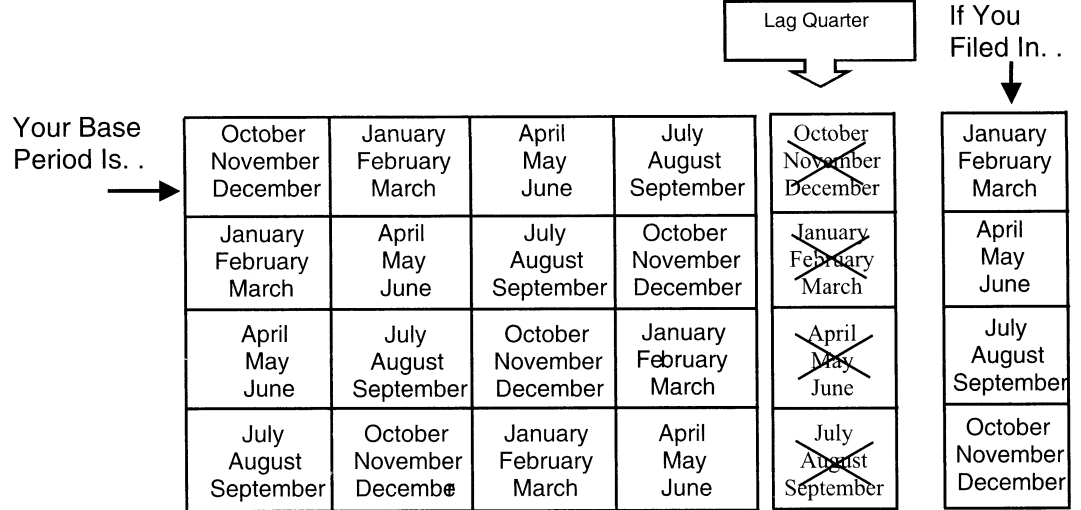
Three Months = One  
Calendar Quarter

January February March	April May June	July August September	October November December
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How much money. . .(cont p. 7) ►

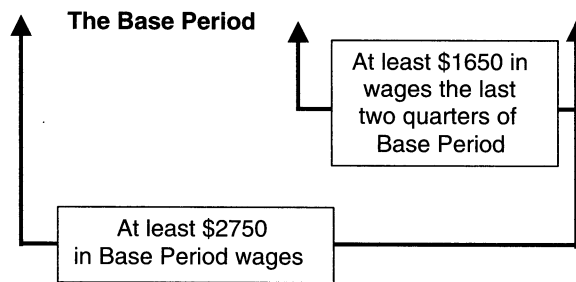
### The Base Period

Your **base period** is the **first four quarters** out of the last five completed quarters. The last quarter is called a **lag quarter**. Do not count the lag quarter in your base period.



### To file a valid claim

- You must have earned at least \$2,750 in **wages** in the entire base period.
- You must have earned at least \$1,650 in the last six months (two quarters) of your base period.
- The amount of money earned during your base period must be at least 1.25 times greater than the wages of your highest earning quarter.



## 2. Why are you unemployed?

You only qualify for Unemployment Insurance benefits if you are unemployed ***through no fault of your own***. Our staff can help you understand your rights regarding employment separation. Please bring all questions and information to the attention of your local office representative.

You only qualify for Unemployment Benefits if you are unemployed through no fault of your own.

### If you quit or were fired:

- A determination for benefits will be made by the claims deputy at your local office.
- You will need to fill out a ***fact finding*** sheet about your job separation and return it to a staff person. Your qualification for benefits will be determined by the information you give us and Indiana law. Please fill out this information as completely as you can.
- Your ***base period employer(s)*** will be contacted for information.

If you were fired for “***just cause***” you may not qualify for benefits. “***Just cause***” includes but is not limited to:

- Giving false information on a job application.
- Knowingly breaking an employer’s rules.
- Unexcused absence or tardiness.
- Purposely damaging employer property.
- Refusal to obey employer instructions.
- Reporting to work under the influence of drugs or alcohol.
- Consuming drugs or alcohol on the job.
- Conduct that threatens the safety of others.
- Conviction and imprisonment for a serious crime.
- Breach of a duty you owed your employer.

Be sure to give complete and accurate information about why you are no longer working.

***Why are you unemployed? (cont. p. 9) ►***



**You must be registered for work on CS3. CS3 is available at your local office. It will connect you with the information and resources you need to find a job.**

If you *quit voluntarily* without good “*work-related*” reasons you may not qualify for benefits. Good “work-related” reasons include, but are not limited to:

- Your employer arbitrarily changing the terms or conditions of your work.
- Safety violations at your work site.
- Harassment.

Some exceptions are made for those who voluntarily leave work for other reasons. Please ask your local office representative for more information on these special conditions.

**Even if you are not eligible for benefits you may register for work on CS3. Visit your local office or log on to our web site at [www.workforce.IN.gov](http://www.workforce.IN.gov)**

### ***3. Are you able, available, and actively seeking full-time work?***

Your benefits could be denied or reduced if you:

- refuse a suitable offer of work,
- fail to go to a job referral made by your local office,
- cannot show proof you are seeking employment, and/or
- are temporarily not available for work due to illness or injury. Benefits can be reduced by 1/3 of your Weekly Benefit Amount for each day you are unavailable.

## How will I know if I will get benefits?

Soon after you file your claim you should receive a “Wage Transcript and Benefit Computation.” Read this notice carefully. Make sure the information on the front and back is correct. (See figure A; 1 through 5. ) You have **twenty (20) days** to request changes.

1. Is your name and address correct?
2. Is the social security number yours?
3. Are wages listed under your name?
4. Are the employers listed the ones you worked for?
5. Are the wage amounts correct?

Call your local office immediately if any information on your “Wage Transcript and Benefit Computation” is incorrect.

Figure A

SEE REVERSE SIDE FOR OPENING INSTRUCTIONS

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT  
BENEFIT DETERMINATIONS  
10 NORTH SENATE AVENUE  
INDIANAPOLIS, INDIANA 46204-2277  
FORWARDING SERVICE REQUESTED

PRESORTED - FIRST CLASS MAIL  
U.S. POSTAGE PAID  
INDIANAPOLIS, IN  
PERMIT NO. 9447

1. Is your name and address correct?

Thomas J Jefferson  
100 N Capitol  
Monticello IN 40000-0000

Wage and Benefit Computation (Back)

## How long can I receive benefits?

- You may draw benefits for up to twenty-six weeks or until your **Maximum Benefit Amount (MBA)** has been reached. (See page 11 for MBA information.)

Your claim is good through the ending date of your **Benefit Year (BYE)**. This allows you to reopen your claim if you become unemployed more than once in that **benefit period**.

- The BYE is 52 weeks beginning with the first week you filed your claim.
- Your BYE date will be printed on your voucher.

2. Is the social security number yours?

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT  
WAGE TRANSCRIPT AND BENEFIT COMPUTATION  
CONFIDENTIAL RECORD PURSUANT TO IC 22-4-19-6 IC 4-1-6

5. Are the wage amounts correct?

SOCIAL SECURITY NUMBER	LOCAL OFFICE	CLAIM LEVEL	CLAIM TYPE	BASE PERIOD		BENEFIT PERIOD		APPLICANT DATE	DATE COMPUTED
				BEGIN	END	BEGIN	END		
123-45-6789	700	REG	UI	07/01/99	06/30/00	10/01/00	09/29/01	10/02/00	10/02/00

EMPLOYEE	NAME OF EMPLOYER	ACCOUNT NUMBER	QRT/YR	WAGES REPORTED
TJ JEF	ABC COMPANY	0000000 -000	1/01	5,000.00
TJ JEF	ABC COMPANY	0000000 -000	4/00	4,337.00
TJ JEF	ABC COMPANY	0000000 -000	3/00	3,678.00
TJ JEF	ABC COMPANY	0000000 -000	2/00	4,186.00

3. Are wages listed under your name?

4. Are employers listed the ones you worked for?

Wage Transcript and Benefit Computation (Front)

## Is there a limit to the total amount of my benefits?

Yes. The total amount of your claim is limited by your **Maximum Benefit Amount (MBA)**. It is shown on your “Wage Transcript and Benefit Computation.” (See Figure B; number 6.)

- Your MBA cannot be more than twenty-eight percent of your total base period wages. (See page 7 for information on the Base Period.)
- Your MBA cannot be more than twenty-six times your Weekly Benefit Amount.

## How much will my check be?

Your **Weekly Benefit Amount (WBA)** is shown on your “Wage Transcript and Benefit Computation” (See Figure B; number 7.) Your WBA is based on the highest wages you earned in any one quarter of the base period. Your WBA is:

five percent of the first \$2000 you earned in the highest quarter

**Plus**

four percent of the amount over \$2000 in the highest quarter (within the highest usable wage as shown on the page 12).

Figure B

INDIANA DEPARTMENT OF WORKFORCE DEVELOPMENT WAGE TRANSCRIPT AND BENEFIT COMPUTATION											
CONFIDENTIAL RECORD PURSUANT TO IC 22-4-19-610-4-1-0											
SOCIAL SECURITY NUMBER	LOCAL OFFICE	CLAIM LEVEL	CLAIM TYPE	BASE PERIOD		BENEFIT PERIOD		APPLICATION DATE	DATE COMPUTED		
				BEGIN	END	BEGIN	END				
123-45-6789	700	REG	UI	07/01/99	06/30/00	10/01/00	09/29/01	10/02/00		10/02/00	
EMPLOYEE	NAME OF EMPLOYER				ACCOUNT NUMBER	QRT/YR	WAGES REPORTED				
TJ JEF	ABC COMPANY				0000000	-000	1/0	5,000.00			
TJ JEF	ABC COMPANY				0000000	-000	4/00	4,337.00			
TJ JEF	ABC COMPANY				0000000	-000	3/00	3,678.00			
TJ JEF	ABC COMPANY				0000000	-000	2/00	4,186.00			
WBA	MBA	FIRST QUARTER WAGES	SECOND QUARTER WAGES	THIRD QUARTER WAGES	FOURTH QUARTER WAGES	TOTAL WAGES					
220.00	4,8160	4,186.000	3,678.00	4,337.00	5,000.00	17,201.00					

6. Your Maximum  
Benefit Amount  
(MBA).

7. Your Weekly  
Benefit Amount  
(WBA).

How much will my check be? (cont. p. 12) ►

The **Weekly Benefit Amount (WBA)** and Highest Usable Wage Amount are scheduled to increase on newly established claims as indicated.

If you filed in:	The highest usable wage* for any quarter is:	The maximum WBA is:
<b>July 1, 2003-June 30, 2004</b>	<b>\$8216</b>	<b>\$348</b>
<b>July 1, 2004-June 30, 2005</b>	<b>\$8733</b>	<b>\$369</b>
<b>July 1, 2005- . . . . .</b>	<b>\$9250</b>	<b>\$390</b>

To Calculate your Weekly Benefit Amount, use the chart below.

\* If you earned \$8316 in your highest quarter in July 2003-June 2004 you can only use \$8216 to calculate your WBA and MBA.

### How to calculate your Weekly Benefit Amount

Steps	Example	Your Wages
1. Write in your highest quarter wages of the base period (or the highest usable wage as shown above).	\$5000	\$_____
2. Use 5% of the first \$2000 you earned.	$\$2000 \times .05 = \$100$	$\$2000 \times .05 = \$100$
3. Add 4% of your highest quarter amount over \$2000 to #2 above.	$\$5000$ (same as #1 above) $\downarrow$ $\underline{-2000}$ $\$3000 \times .04 = + \$120$	$\$_____$ (same as #1 above) $\downarrow$ $\underline{-2000}$ $\$_____ \times .04 = + \$_____$
4. Total= This is your WBA	$\downarrow$ = \$220	$\downarrow$ = \$_____

**If you disagree with any decision made regarding partial benefits or a reduction of your benefits, you have the right to request an explanation in writing.**

**Remember to report all earnings from all odd jobs such as mowing grass, painting, etc.**

## Partial Benefits

You may qualify for partial benefits if your employer reduces your work hours to less than your regular full-time work week, **and** you earn less than your Weekly Benefit Amount (WBA).

If you disagree with any decision made regarding partial benefits or a reduction of your benefits, you have the right to request an explanation in writing.

### Partial benefits are calculated based on the following:

- **If you earn *less than* twenty percent of your weekly benefit amount** from an employer that is not listed on your wage transcript, no deduction will be made from your benefit check.
- **If you earn *more than* twenty percent of your weekly benefit amount** from an employer that is not listed on your wage transcript, after twenty percent has been earned, a dollar-for-dollar deduction will be made from your benefit check.
- **If you work odd jobs for anyone other than your base period employer**, a dollar-for-dollar deduction will be made after the amount equal to twenty percent of your weekly benefit amount has been earned.
- **If any wages are earned from a base period employer**, a dollar-for-dollar deduction will be taken from your benefit check.

### Partial Benefit Exclusions

- You do not qualify for any benefits if you are working full time on commission.
- You do not qualify for benefits if you are working full time at all, even if you earn less than your weekly benefit amount.

# How do I get my check?

Random work search audits are performed on claimants. Please keep accurate records.

Your benefit week always begins on Sunday and ends on Saturday. This is sometimes referred to as the Calendar Week Ending (CWE).

Go to your local WorkOne office to open your claim if you have not already done so. The first week you file a new claim for benefits is your *waiting period* week. You will not receive payment for this week, but you must fill out a claim voucher for your waiting period week to receive future vouchers.

## The Claim Voucher

When your first check comes in the mail, your claim voucher will be attached to your benefit check. **Do not throw this voucher away.**

Your claim voucher is what you use to request payment for benefits. Unemployment claims are based on a calendar week beginning with Sunday and ending on Saturday. Fill out your voucher following the steps below.

## How to fill out your voucher

If you do not receive your voucher in the mail or you have lost it, you may get one at the WorkOne office or download a voucher from our web site under "Forms and Downloads" at [www.workforce.IN.gov](http://www.workforce.IN.gov)

When your voucher is mailed to you it will have your Social Security number and other information already printed on it.

- **Write your Social Security number in the space below SS# on the voucher if it is not already there**
- **Use black ink only to fill out your voucher.**
- **Answer all questions on the voucher.**
- **Fill in all answer boxes completely**

*How to fill out your voucher (cont. p. 15) ►*

## Employment Information

Questions **One through Five** ask about employment for the week you are claiming.

Answer yes to the questions only if it applies to the week you are claiming. **Remember: Your benefit week always begins on Sunday and ends on Saturday (CWE).**

1. Did you work, receive holiday, vacation, or severance pay this week?
  - Report any work you had during the week you are claiming, even if you didn't get paid for it yet. This includes any jobs for which you were paid cash, any income from self-
2. Did you refuse work, quit or get discharged (fired) during the week you are claiming benefits?
3. Was there a change in retirement, school or training status?
  - Answer "yes" to question three if any other types of benefits increased or decreased, or if you quit or started school or training. This may change the amount of your benefit.

employment, or any holiday, vacation, or severance pay.

State Form 43605 (R3/09-00)  
INDIANA DEPARTMENT OF  
WORKFORCE DEVELOPMENT

**CLAIMANT VOUCHER**

FILL THE BOX IN COMPLETELY WITH A BLACK INK PEN ONLY. ☐ RIGHT ☒ WRONG

I claim unemployment benefits the week ending SATURDAY \_\_\_\_\_. All questions refer to that week.

YES NO If you answer YES to questions 1 - 4, contact your local office.

☐ 1. Did you work ☐ receive holiday ☐ vacation ☐ or severance pay ☐ this week?

Employer Name \_\_\_\_\_ Earnings before deductions \_\_\_\_\_

☐ 2. Did you refuse work, quit or get discharged during the week you are claiming benefits?

☐ 3. Was there a change in retirement or social security pay, or in school or training status?

☐ 4. Were you unable to work, or unavailable for work? Why? \_\_\_\_\_

Mark which day(s) of the week. SUN MON TUE WED THUR FRI SAT

☐ 5. Did you return to work full-time during the week you are claiming benefits?

SS# \_\_\_\_\_ CL \_\_\_\_\_ L.O. \_\_\_\_\_ CT \_\_\_\_\_ CWE \_\_\_\_\_ BYE \_\_\_\_\_

List three job contacts made this week.

DATE	COMPANY NAME	ADDRESS	PHONE	RESUME	IN PERSON	RESULTS
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

I hereby certify that I fulfilled the registration for work requirements, that I am not receiving subsistence allowance for training or education that would make me ineligible for benefits. I understand that making false statements on this form is unlawful and that I could be subject to penalties including criminal prosecution.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

IF CHANGE OF ADDRESS, DO NOT MAIL:  
TAKE THE CARD TO YOUR LOCAL  
CLAIMS OFFICE.

4. Were you unable to work, or unavailable for work? Why?

- Mark the box of any days you were not able to work or look for work, and write in the reason why.

5. Did you return to work full time during the week you are claiming benefits?

- Answer "yes" or "no."

**If you answered yes to any of questions One through Five, do not mail the voucher. Instead, call your local WorkOne office for instructions.**

Figure D

## Work Search Information

The second half of the claim voucher asks you to list all job contacts you made this week.

- The job contacts you list must be within the week you are claiming.
- Fill in the box that asks if you made contact with the employer by phone, in person, or if you sent a resume.
- Make a note about the result of your contacts.

State Form 43605 (R3/08-00)  
INDIANA DEPARTMENT OF  
WORKFORCE DEVELOPMENT

**CLAIMANT VOUCHER**

FILL THE BOX IN COMPLETELY WITH A BLACK INK PEN ONLY. ☐ RIGHT ☒ WRONG

CONFIDENTIAL RECORD  
Pursuant to IC 22-4-19-6, IC 4-1-6

I claim unemployment benefits the week ending SATURDAY. All questions refer to that week.

YES NO If you answer YES to questions 1 - 4, contact your local office.

☐ 1. Did you work ☐ receive holiday ☐ vacation ☐ or severance pay ☐ this week?  
Employer Name \_\_\_\_\_ Earnings before deductions \_\_\_\_\_

☐ 2. Did you refuse work, quit or get discharged during the week you are claiming benefits?

☐ 3. Was there a change in retirement or social security pay, or in school or training status?

☐ 4. Were you unable to work, or unavailable for work? Why? \_\_\_\_\_  
Mark which day(s) of the week. SUN MON TUE WED THUR FRI SAT  
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ 5. Did you return to work full-time during the week you are claiming benefits?

SS# \_\_\_\_\_ CL \_\_\_\_\_ L.O. \_\_\_\_\_ CT \_\_\_\_\_ CWE \_\_\_\_\_ BYE \_\_\_\_\_

List three job contacts made this week.

DATE	COMPANY NAME	ADDRESS	PHONE	RESUME	IN PERSON	RESULTS
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

I hereby certify that I fulfilled the registration for work requirements, that I am not receiving subsistence allowance for training or education that would make me ineligible for benefits. I understand that making false statements on this form is unlawful and that I could be subject to penalties including criminal prosecution.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

IF CHANGE OF ADDRESS, DO NOT MAIL: TAKE THE CARD TO YOUR LOCAL CLAIMS OFFICE.

## Sign, stamp, and mail your voucher to:

Indiana Department of Workforce Development  
Benefit Payment  
10 North Senate Avenue  
Indianapolis, IN 46204-2277

Or take the voucher to the WorkOne office nearest you.

## After you mail your voucher

- ¥ Call your local office if you have made a mistake on your voucher.
- ¥ You will receive a benefit check and a new voucher within ten days.
- ¥ Call your local office if your check and voucher do not arrive within ten days.

## Have you or your employer filed an appeal?

Keep sending in your vouchers if you are waiting for an appeal decision. If the decision is in your favor you will be paid for your qualifying weeks.

## Overpayments

It is very important that all information you give us is accurate and truthful. You will have to pay back any money you receive because of incomplete or inaccurate information on your claim.

## Keeping check records

Your check will have a stub attached. Keep these stubs for your records. They will show you the week the payment is for, any deductions taken from your check, and your current claim balance.



## What if I disagree with a benefit decision?

If your claim for benefits is denied or your benefits are reduced and you disagree with that decision, you have the right to an **appeal**. Your appeal will be heard in front of an **Administrative Law Judge (ALJ)**. Your employer will also be present at the hearing. There is no charge for this appeal.

### How do I file for an appeal?

If you are waiting for a claims deputy decision regarding your benefits, you will receive a “Determination of Eligibility” in the mail. (See figure E.) It is the form that tells you if you will be receiving benefits.

### To request an appeal

1. Fill out the “Notice of Appeal” on the back of the “Determination of Eligibility” form.
2. File your request for an appeal within **ten (10)** days of the date the local office mails the “Determination of Eligibility.”

There are two ways you can file your appeal, by mail or in person at your local office.

**Figure E**

**INDIANA WORKFORCE DEVELOPMENT  
DETERMINATION OF ELIGIBILITY**

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UC-511 SF 128 (R11/97)AG01A CONFIDENTIAL RECORD PURSUANT TO IC-22-4-10-6 IC 4-1-6

Name and Address of Claimant		SSN: 111-11-1111	Issue #: 01
JANE	DOE	BYE: 12/12/99	Separation Date:
123 ANY ST		Employer Acct #: 123456-000	
SHELBYVILLE	IN 46176-0001	Local Office: REG/70-9	

Name and Address of Employer		Issue(s) Involved
ABC COMPANY		
321 BUTLER DRIVE		Voluntarily left employment without good cause in connection with the work.
INDIANAPOLIS	IN 46221	

---

Circumstances of Case

The claimant left the employer to accept previously secured permanent full-time work offering betterment of wages and/or working conditions. The claimant remained with the new employer at least ten weeks.

**RIGHT OF APPEAL:** This determination will become final on *(date)* if not appealed. Either party may appeal this determination and request a hearing before an Administrative Law Judge within twenty days of the date this determination was mailed or otherwise delivered. Please see reverse side for appeal procedure.

Legal Result of Case

CLAIMANT: NO PENALTY AS A RESULT OF THIS ISSUE.

EMPLOYER: THE EMPLOYER'S ACCOUNT WILL NOT BE CHARGED FOR BENEFITS PAID AFTER 01-01-01 ON WAGES EARNED PRIOR TO THIS DATE.

Date Determination Mailed	Local Office	Signature of Deputy
1/23/01	INDIANAPOLIS ADJUDICATION CENTER	B. BUTLER

RIGHT OF APPEAL: THIS DETERMINATION WILL BECOME FINAL ON 2/12/01 IF NOT APPEALED. EITHER PARTY MAY APPEAL THIS DETERMINATION AND REQUEST A HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE WITHIN TWENTY DAYS OF THE DATE THIS DETERMINATION WAS MAILED OR OTHERWISE DELIVERED. PLEASE SEE REVERSE SIDE FOR APPEAL PROCEDURE.

IMPORTANT NOTE TO CLAIMANT: If you appeal this determination, you must continue to submit vouchers each week while unemployed.

**To request an appeal (cont. p.18) ►**

## Filing By Mail

You must fill out all the information on the “Notice of Appeal” form in order to have a hearing in front of an Administrative Law Judge (ALJ). (See Figure F.)

- State the reasons why you disagree with the decision.
- Sign your name and check the box that says *claimant*.
- Mail the appeal to the address on the form within **ten (10)** days of the mailing date of your “Determination of Eligibility.”

Figure F

Claimant Name: JANE DOE Social Security: 111-11-1111  
Employer Name: ABC COMPANY Account Number: 123456-000

### NOTICE OF APPEAL

TO THE CLAIMANT: If the Legal Result of Case states your weekly benefits have been reduced or suspended, or your maximum benefit amount has been reduced, you have the right to appeal this decision. Follow the steps below.

TO THE EMPLOYER: If the Legal Result of Case states no penalty is imposed, you have the right to appeal this decision. Follow the steps below.

If you have any questions concerning this decision, please refer to your “Claimant Handbook” or contact your Local Office.

### - APPEAL -

I disagree with the determination and request a hearing before an Administrative Law Judge due to the following reasons:

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IMPORTANT NOTICE TO APPEALING PARTY: In order to properly schedule this hearing, provide city and state where claimant last worked for above employer.

City \_\_\_\_\_, State \_\_\_\_\_

If you wish to have an interpreter provided for this hearing check one of the following.

\_\_\_\_ Sign Language \_\_\_\_ Spanish \_\_\_\_ Other, specify \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Telephone Number \_\_\_\_\_

\_\_\_\_ Claimant  
\_\_\_\_ Employer

PLEASE MAIL THIS ORIGINAL DOCUMENT TO:  
Indiana Department of Workforce Development  
Unemployment Insurance Appeals  
311 W Washington St, Ste 101  
Indianapolis, IN 46204

The postmark on the envelope will indicate the filing date of the appeal.

General hearing instructions will appear on your hearing notice.

CLAIMANT NOTE: Continue to file weekly vouchers for any weeks you are totally or partially unemployed.

IMPORTANT: If you do not appear at the hearing, the Administrative Law Judge could issue a decision that will be unfavorable to you.

For Claimants: You may have to pay back any benefits you have received.

For Employers: Your account may be charged for any benefits paid.

## Filing In Person

Go to the WorkOne office where you filed your initial claim for benefits within **ten (10)** days of the date the local office mailed your “Determination of Eligibility.”

1. Take your “Determination of Eligibility” with you.
2. Tell the local office representative you want to file an appeal.
3. The representative will help you fill out the correct forms.

**Please protect your rights by attending the ALJ hearing and preparing for the hearing.**

**If you cannot attend a scheduled hearing you may request a postponement. You must notify the ALJ by fax or letter no later than 3 days before the scheduled hearing if you would like a postponement.**

## The ALJ hearing

You will be notified by mail of the date of your appeals hearing. Your former employer(s) will also be notified.

- If you filed for the appeal you must attend the hearing or your appeal will be dismissed.
- To protect your rights, you should attend the hearing if your employer appeals.

You should receive a copy of “Your Right to an Appeal” when you receive your hearing notice. It will explain the appeals process to you in great detail. If you have questions or need more information about the appeals process, call the **Helpline at 1-888-WorkOne (967-5663)**

## Employer Appeals

If your former employer(s) disagree with the decision to give you benefits, they can appeal too. You will be notified of the hearing date and time.

- If you were receiving Unemployment Insurance benefits and your employer wins the appeal, you will have to pay back any benefits you have received. This is called an *over payment*.
- Regardless of the reason for the overpayment, you are required to repay all benefits. Therefore, it is in your best interest to give us accurate and complete information regarding your claim at all times.
- You may appeal the Administrative Judge’s decision to the Unemployment Insurance **Review Board** within *eighteen (18)* days of the mailing date of the ALJ decision. Visit your local WorkOne office for more information or call the Helpline at **1-888-WorkOne**.

## How can I get work search help?

You must be registered for work at your local WorkOne office and show you are making an effort to find work each week. To register for work, visit your local office and log on to CS3, the Customer Self Service System. You are required to list work search information on the vouchers you fill out each week. (See pages 14-16 for instructions on the voucher.) You can also keep a record of job contacts by using the form in the back of this booklet. (See Appendix A.)

**Keep a record of job contacts by using the form in Appendix A at the back of this booklet.**

### Employment Services

The task of finding a new job can be difficult. Your local WorkOne office can assist you in finding a job or getting training for a new career. We offer the following services to make your job search a success. Ask about CS3, Skills training, Resume writing, GED test preparation and our Information Resource Areas.

### Special Job Search Assistance for Those at High Risk (Profiling & Reemployment Services)

Federal legislation requires the Department of Workforce Development to identify claimants who are at a high risk of exhausting regular unemployment benefits and who would benefit from job search assistance and training. The information you give us when you apply for benefits can help determine whether or not you may have difficulty finding a new job.

The Profiling system targets factors such as:

- Whether you are on recall status with your employer.
- Your ability to use a union referral service to obtain new work.
- Your occupation and work history.
- Your education.
- The unemployment rate in your geographical area.

If you qualify for special job search assistance:

1. You will receive a letter letting you know that you qualify.
2. Follow the instructions on the letter.

**Failure to respond to "Profiling and Reemployment" letter and participate in the Profiling program could affect your eligibility for benefits. Please respond promptly to any letter or notice from the Department of Workforce Development or your WorkOne office.**

## Frequently Asked Questions

### **How soon can I expect my first check?**

You must file your initial claim and register for work at your local office. The first week you do not work is considered a mandatory *one-week waiting period*. You will not get benefits for the waiting period week, but fill out a voucher for the waiting period. The second week, if you are still not working, you will fill out another voucher. Your first check should arrive by mail within ten days of mailing your second voucher.

### **Can I collect benefits from more than one claim at a time?**

No. You can only receive benefits from one claim at a time. This includes claims from other states.

### **Can school employees collect benefits during school vacations?**

Not usually. If teachers and other school employees expect to return to school at the end of the scheduled breaks, they may not qualify for benefits. Some exceptions do apply, so ask your local office representative.

### **Can I get benefits if I am a seasonal worker?**

If your employer has been granted seasonal status (it operates less than twenty-six weeks a year), you will not be eligible for benefits during the off season. You will be notified on your “Wage Transcript and Benefit Computation” if your employer has been granted seasonal status.

### **Can the Department give out information about my claim?**

Some state and federal agencies can get information, but only what they need to do their job. We will not give information to your friends or family.

### **Can I get benefits if I quit my job?**

No. If you quit your job without “good cause,” you cannot get Unemployment Insurance benefits. There are exceptions. Occasionally when “good cause” is established, you may receive benefits. (See “Why are you Unemployed?” Page 8.)

### **What if I stop claiming benefits to go back to work temporarily?**

If you return to work, stop sending in your vouchers. If you become unemployed again you will need to report to your local WorkOne office to reopen your claim.

**What is an overpayment?**

Overpayments are benefits paid to a claimant that are later determined to have been paid in error. Overpayments occasionally occur when a claimant is allowed benefits and an appeal by an employer reverses the decision. The claimant is then found ineligible for all benefits received. Inaccurate information or an employer's error in reporting your wages may cause an overpayment.

**Do I have to pay back overpayments?**

Yes. Anytime a claimant receives benefits for which he or she is not eligible, the claimant must pay back the same amount of benefits, plus any taxes or deductions withheld. This can be done on a payment schedule. Regardless of the reason for the overpayment, once one is determined, all affected benefits must be paid back. The State of Indiana has the right to withhold state income tax returns and lottery winnings in order to recover any overpayments that have not been collected.

**What happens if I move?**

If your address changes you must notify the Department of Workforce Development office in writing or in person. You may use the "Change of Address" form in Appendix B of this booklet. Due to security reasons, changes of address must have written documentation. It cannot be done over the telephone.

Note: If your address changes while you have an appeal pending, please check the box on the change of address form and mail or take it to your local WorkOne office.

**Do I have to report earnings if I am working in another state while claiming benefits in Indiana?**

Yes. No matter where you are working you must report any wages you earn while claiming benefits. This includes earnings from self-employment. We routinely check payroll tax records in Indiana and other states.

**What is an appeal?**

An appeal is the right of any claimant or employer to ask for a review of a decision made by a deputy, Administrative Law Judge, or the Review Board. If you or your employer do not agree with a decision to allow or disallow Unemployment Insurance benefits, either party can ask for an appeal.

**What if I have questions about my claim, check, voucher, or forms?**

If you have questions regarding your benefits check, the status of your claim, or filling out forms, call our toll free Helpline at **1-888-WorkOne (967-5663)** or log on to our web site at **[www.workforce.IN.gov](http://www.workforce.IN.gov)** and look under Unemployment Benefits.

**What if I go out of town?**

If you are looking for work out of town you may file a courtesy claim at the nearest WorkOne office in Indiana. Out of state, visit the employment services agency nearest you.

While looking for work out of town, be sure to keep a record of your job search contacts. The local office will need this information. If you are out of town for more than two weeks you must transfer your claim to the new office location.

**Can money be deducted from my benefits for child support payments?**

Yes. If you owe child support payments, the Family and Social Services Agency has the right, through a court order, to deduct a portion of your unemployment benefits for child support.

**Do I have to pay taxes on unemployment benefits?**

Yes. Unemployment benefits are taxable income and are subject to both federal and state taxes. The Department will send you an IRS form 1099-G for tax reporting purposes. You should receive this in late January.

You may choose to have (10) ten percent of your unemployment benefit payment withheld to pay federal taxes. You may also choose to stop withholding at anytime. There is no withholding provision for state taxes.

# Glossary of Terms

**Administrative Law Judge (ALJ)**

The Department official who conducts impartial Unemployment Insurance hearings (page 17).

**Appeal**

The process through which interested parties in the claim of an employee shall be entitled to a hearing before an Administrative Law Judge, the Review Board, or the Indiana Court of Appeals (pages 17-19, 22).

**Base Period**

The first four (4) calendar quarters out of the last five (5) completed quarters. The last quarter is called the lag quarter (page 6-7).

**Base Period Employer**

Any employer for whom an individual worked during the base period (page 8).

**Benefit Period**

The fifty-two consecutive-week period beginning with the first week an initial unemployment claim is filed (page 10).

**Benefits**

The money payments made to individuals eligible for unemployment insurance benefits (page 5).

**Benefit Year Ending (BYE)**

The date an Unemployment Insurance claim expires (page 10).

**Calendar Quarter**

The period of three (3) consecutive calendar months ending with March 31, June 30, September 30, or December 31 (page 6).

**Calendar Week Ending (CWE)**

The calendar week that begins on Sunday and ends at midnight Saturday (pages 14-15).

**Claim**

An application made by an individual for Unemployment Insurance benefits (page 5).

**Fact Finding Sheet**

The form that requests information regarding separation from an employer (page 8).

**Fraud**

The act of knowingly making false statements or concealing information in order to receive Unemployment Insurance benefits (page 4).

**Just cause**

The term used to describe acceptable reasons for being dismissed (fired) by an employer (page 8).

**Lag Quarter**

The final quarter out of the last five completed quarters an individual worked. The Lag Quarter is not counted in the base period (page 7).



**Maximum Benefit Amount (MBA)**

The amount to which an Unemployment Insurance claim is limited (pages 10-11).

**Overpayment**

Unemployment Insurance benefits that are paid to a claimant and later determined to have been paid in error, and which must be paid back (pages 3,16,19, 22).

**Partial Benefits**

The weekly benefit amounts of an eligible individual who is partially and/or part-totally unemployed (page 13).

**Profiling and Reemployment**

Special job search assistance (required by federal law) for those at high risk of exhausting regular unemployment benefits (page 20).

**Review Board**

The Unemployment Insurance board that consists of three individuals appointed by the governor who impartially review Unemployment Insurance appeals hearings (page 19).

**Voluntary Quit**

Leaving employment with or without good work related reasons (page 9).

**Voucher**

The form used by a claimant to request Unemployment Insurance weekly benefit payments (page 14-16)

**Wages**

All compensation for services, including but not limited to, commissions; bonuses; severance; dismissal, vacation, and sick pay; payments in lieu of compensation; and cash value of all compensation paid in any way other than cash (pages 6-7).

**Wage Transcript and Benefit Computation**

The notice that explains how claim and benefit amounts are computed (pages 10-11).

**Waiting Period**

The mandatory one-week period required after a claim is filed. No benefits are paid for the waiting period week (pages 5, 14, 21).

**Weekly Benefit Amount (WBA)**

The amount of benefits an eligible individual can receive for a week of total unemployment (pages 11-12).

**Work Search**

The act of registering for work, and the effort to find employment required in order to qualify for Unemployment Insurance benefits. Work search information must be recorded each week on mail-in vouchers (pages 4,16, 20; *form-appendix A*).

### Work Search Record

Date	Company Name	Contact Person Name	Job Description	Results

### Appendix B: Change of Address

\_\_\_\_ Check here if you have a pending appeal\*

#### Change of Address

Name \_\_\_\_\_ Social Security Number \_\_\_\_\_ BYE \_\_\_\_\_

**New Mailing Address** \_\_\_\_\_

Street/Box Number \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Current Telephone Number ( ) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

\* The local office will send a copy to the Appellate.

### Unemployment Insurance Services Available at these Locations

<b>ANDERSON</b> 222 E. 10th St. (765) 642-4981	<b>ELKHART</b> 430 Waterfall Dr. (574) 295-0105	<b>HAMMOND</b> 6431 Columbia Ave (219) 933-8332	<b>LAFAYETTE</b> 2301 Concord Rd. (765) 474-5411	<b>MADISON</b> 620 Green Rd. (812) 265-3734	<b>NEW CASTLE</b> 1416 Broad St. (765) 529-3010	<b>SHELBYVILLE</b> 425 E. Washington St. (317) 392-3251
<b>AUBURN</b> 936 W. 15th St. (260) 925-0124	<b>EVANSVILLE</b> 700 E Walnut St. (812) 424-4473	<b>INDPLS/EAST</b> 2525 N. Shadeland (317) 358-4500	<b>LAPORTE</b> 300 Legacy Plaza W. (219) 362-2175	<b>MARION</b> 850 N. Miller Ave (765) 668-8911	<b>PLYMOUTH</b> 316 N. Kingston Rd. (574) 936-8919	<b>SOUTH BEND</b> 851 S. Marietta St. Ste. 500 (574) 237-9675
<b>BEDFORD</b> 918 16th St. (812) 279-4400	<b>FISHERS</b> 10022 Lantern Rd. (317) 841-8194	<b>IN. / MICHIGAN, ST</b> 1635 W Michigan St (317) 264-1313	<b>LAWRENCEBURG</b> 230 Mary Ave. (812) 537-1117	<b>MARTINSVILLE</b> 1839 Robin Rd (765) 342-3324	<b>PORTAGE</b> 1575 Adler Circle (219) 762-6592	<b>TERRE HAUTE</b> 30 N. 8th St. (812) 234-6602
<b>BLOOMINGTON</b> 450 Landmark Ave. (812) 331-6000	<b>FORT WAYNE</b> 201 E. Rudisill Blvd. (260) 745-3555	<b>INDPLS/WEST</b> 805 Beachway Dr. (317) 246-5400	<b>LINTON</b> 1600 NE 'A' St. (812) 847-4479	<b>MUNCIE</b> 201 E. Charles St. (765) 289-1861	<b>PORTLAND</b> 112 N Ship St. (260) 726-8316	<b>VINCENNES</b> 310 N. 2nd St. (812) 882-8770
<b>COLUMBUS</b> 2320 Midway St. (812) 376-3351	<b>GARY</b> 1776 W. 37th Ave (219) 981-1520	<b>KOKOMO</b> 709 S. Reed Rd. (765) 459-0571	<b>LOGANSPOUT</b> 2835 E Market St (574) 722-6652	<b>NEW ALBANY</b> 3310 Grant Line Rd (812) 948-6102	<b>RICHMOND</b> 3771 South 'A' St (765) 962-8591	<b>WARSAW</b> 102 S. Buffalo St. (574) 269-3050
<b>CONNERSVILLE</b> 200 W. 5th St. (765) 825-3191						